

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JOHN T. GORDON,

Plaintiff,

v.

MENDOTA MENTAL HEALTH
INSTITUTION,

Defendant.

ORDER

Case No. 21-cv-225-wmc

Plaintiff John T. Gordon a patient at Mendota Mental Health Institution in Madison, WI has filed a proposed complaint under 42 U.S.C. § 1983, alleging constitutional rights violations. Plaintiff requests leave to proceed without prepayment of the filing fee and has submitted a resident account statement for the period of October 5, 2020 to April 5, 2021.

This court uses one method for determining the indigent status of all institutionalized persons, even those like plaintiff who are not subject to the 1996 Prisoner Litigation Reform Act. This method requires plaintiff to submit a certified copy of a resident account statement for the *entire* six-month period immediately preceding the filing of the complaint

A certified copy of plaintiff's resident account statement for the entire sixth-month period immediately preceding the filing of the complaint must be provided if plaintiff intends to pursue the request for leave to proceed without prepayment of the filing fee. Because plaintiff's complaint was submitted on April 5, 2021, the certified resident account statement should cover the period beginning approximately October 5, 2020 and ending

approximately April 5, 2021. If plaintiff fails to submit the required statement within the deadline set below, I will assume that plaintiff wishes to withdraw this action voluntarily.

ORDER

IT IS ORDERED that plaintiff John T. Gordon may have until April 26, 2021 to submit a certified copy of plaintiff's resident account statement for the period beginning approximately October 5, 2020 and ending approximately April 5, 2021. If, by April 26, 2021, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing this case at a later date.

Entered this 5th day of April, 2021.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge